

HILL SHADOW PICTURES

CG-18  
CGB-CC-1288  
Received & Inspected

FEB 05 2013

FCC Mail Room

January 28, 2013

Re: PETITION FOR EXEMPTION TO THE CLOSED CAPTIONING  
REQUIREMENTS ON THE BASIS OF UNDUE BURDEN

To Whom It May Concern:

I am writing to petition for the exemption to the closed captioning requirements on the basis of undue burden. The show title in question is: "Gary Lewis' Adventure Journal," a regionally broadcast half-hour show in the Pacific Northwest. There are 26 episodes on air at this moment, and 39 come July. I am petitioning the FCC requirements for the following reasons.

The impact on the operation of the provider or program owner in providing closed captioning would be detrimental and, in this case, would completely inhibit the production of the show. We are currently working with a closed captioning service named VITAC and have received a quote for the closed captioning of our regional program. In order to get our program completely captioned and encoded, it would cost more than I as an independent producer, am guaranteed to make on one season of the production. After the two seasons that are airing at the moment are captioned, it will cost at least half of what I am guaranteed to make on the production every season. Please take this and other specifics into consideration, as this captioning would cause the cancellation of our show.

I have contacted our six program distributors across the Northwest, and have requested assistance for funding for closed captioning of the TV show Gary Lewis Adventure Journal. No station will assist in funding closed captioning, considering our show falls under the barter show realm. This means that program distributors do not pay us for the show, and we do not pay them to have the show on the air. Our income comes solely from our advertisers. Along with this letter are copies of the program distributor responses to the request for assistance for closed captioning.

After seeking additional funding for closed captioning for our television program Gary Lewis Adventure Journal it is clear that businesses and companies have little interest in financially supporting the closed captioning of our program. After speaking with Tony Meyer, the owner of Xpress Printing Inc. and a fan of our show in Sisters Oregon, Jeff Wester, owner of Ponderosa Forge & Iron Works Inc. in Sisters Oregon, and Don Leber, Director of Advertising and Marketing at Bi-Mart Corp, it has become clear that funding for closed captioning of our program is unavailable. I have also contacted

Cliff Tepper, a key contact at the Hearing Loss Association of Oregon. He has informed me that there is no money available for funding such closed captioning.

This show is being distributed as a barter show. As such, our compensation for production comes from advertising sales.

With all the information provided, it is clear that Hill Shadow Pictures cannot pay for closed captioning because the cost of it would cut more than 50% of earnings that the show generates. As a whole in 2012, Hill Shadow Pictures brought in a total of \$24,817.90, \$11,971.50 of expenses, and 5041 business miles. After adjustments for 2012 Hill Shadow Pictures as a whole made \$12,846.40. If I were required to caption and encode this series, I will have made \$1,121.40 for 2012, not including the 13 upcoming episodes for 2013, which would cost an additional \$5,862.50, or the business miles that account for \$2,520.50. Not including the 3013 episode captioning, but accounting for the business miles of 2012, I would have made a total of -\$1,399.50. This is why the production would be cancelled if required to provide closed captioning. Please take into consideration that Hill Shadow Pictures is a one-person production crew that shoots, edits, produces, and distributes programs on a small scale. I am trying to build a business that is easily inhibited by rules and regulations that are placed on production crews that are backed with millions of dollars and crews that number 25 or more personnel. It is simply not reasonable to not delineate between studios from LA that produce programming from a one-person small business production crew.

Thank you for considering my appeal and petition. Please contact me if there are any further questions.

Best regards,

Samuel Pyke

Owner

Hill Shadow Pictures

17495 Ivy Ln Sisters, OR 97759 (541) 678-2018 hillshadowpictures@gmail.com

**Equipment Expenses**

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Sisters Realty (\$610.00) Sisters\_Promo video  
GLAJ (\$720.00) Lake in the Dunes x 2(15 Ads)  
GLAJ (\$660.00) ODFW Commercial Production  
Cooper Shoot (\$856.50) 3/14/12  
Robinson Sledding\_1 (\$615.00) 4/16/12  
GLAJ (\$500.00) Kenai Lodge commercial Pymnt  
GLAJ (\$600.00) Base Image Commercial 5/18/12  
Robinson Riding Reel (\$230.00) 5/10/12  
Cooper/Olaughlin EditsBatch\_1 (\$337.00)  
WC Pilot Down Payment (\$1,000.00)  
WC Pilot Payment (\$500.00) 6/18/12  
Cooper Olaughlin edits Batch\_2 (\$796.50) 6/20/12  
Cooper Baseball Payment\_1 (\$203.50) 6/20/12  
Quilt Show Video Production (\$250.00) 7/26/12  
Cooper Batch\_4 Edits (\$1,000.00) 7/25/12  
Running Y Ranch Commercial (\$900.00) 8/15/12  
WC Pilot Payment (\$500.00) 8/14/12  
Little Wedding Production (\$425.00)  
WD Final Pilot episode payment (\$2,000.00) 9/24/12  
Cooper Batch\_5 Edits (\$661.50)  
Cooper Well Traveled Fork (\$718.50) 10/2/12  
Cooper Well Traveled Fork (\$400) 10/10/12  
Sonja Anderson Wedding Video (\$500) 10/10/12  
Cooper Payment Fork/Style (\$1,041) 11/20/12  
Sisters Vacation Rental Batch\_1 (\$470.90) 12/5/12

(\$16,495.40) SLR Setup copper pipe (\$6.98) Lutton's 6/2/12  
Fancier WF717a Tripod Amazon (\$134.99) 6/3/12  
Steel Crane Tubing 20ft (\$32.00) Ponderosa Forge 6/20/12 invoice # 10256  
2 Hack saw blades (\$6.00) Bi-Mart 6/18/12  
4 AA Lithium Batteries (\$10.99) Ray's Redmond 6/19/12  
Drill Bit (\$3.29) Lutton's 6/18/12  
SLR Mount Aluminum tubing + screws (\$10.98) Lutton's 6/18/12  
Aluminum crane 1by1 tubing (\$29.99) Lutton's 6/26/12  
Smooth cam belt (\$7.99) Goodwill 6/26/12  
Crane screws+bolts (\$5.94) Lutton's 6/29/12  
16 ft Aluminum tubing for crane (\$63.40) Ponderosa Forge 6/26/12  
Aluminum U joint forged for crane (\$40.00) Ponderosa Forge 6/29/12  
softbox kit (\$118.75) Buy.com 6/23/12  
(Crane) 3 ft pipe (\$8.00) Hardware (\$14.77) 7/02-7/03/12 P-Forge+ACE  
GOPRO Bike mount (\$20.00) REI 7/05/12  
WD 3TB Hard Drive B&H (\$199.00) 7/05/12  
SLR Flycam stabilizer camera rig (\$179.99) Amazon 6/23/12  
Lithium 4 pk AA Battery (\$19.99) Fred-Meyer Redmond 7/16/12  
Panasonic 4 pk AA Battery (\$4.99) Sisters Market 7/14/12  
Rycote Lav wind Screen (\$19.99) B&H.com 7/16/12  
Sennheiser Mic head (\$10.99) Sweetwater.com 7/16/12  
Writing Pads x 2 +DVD Sleeves + Journal (\$17.66) Bi-Mart 7/17/12  
(\$8,322.50) Panasonic mic holder replacement (\$44.89) 7/28/12 b-cast video  
DVD 100 pk & Cases (\$49.98) Staples 8/29/12 Bend  
Tripod quick release plate (\$36.78) Ebay 8/30/12  
DVD Lables Western Concepts (\$63.49) floppydisk.com 8/28/12  
Buissness truck groan stoppers x 6 (\$48.00) 9/5/12  
Sensor Swab (\$40.64) B&H 9/19/12  
Sensor Swab Kit (\$32.37) Amazon 9/27/12  
iPhone for buissness (\$99.97) Verizon Wireless Bend 9/22/12  
Socket hardware set (\$19.99) Lutton's Sisters 10/01/12  
WD 3TB Hard Drive Buydig.com (\$159.00) 11/03/12  
Camera Slider ePhoto Amazon (\$293.64) 11/1/12

Flycam 5000 Camera Stabilizer (\$217.00) Amazon 11/7/12  
Steadycam hardware (\$17.83) Ace Lutton's Sisters 11/17/12  
Shoulder Monut Welding (\$80.00) Ponderosa Forge 11/21/12  
Shoulder Mount Hanle grips (\$6.89) BiMart 11/23/12  
Shoulder Mount Padding Strips(\$7.99) Lutton's 11/23/12  
Shoulder Mount Protective Layer spray (\$11.99) Baxters 11/21/12  
Fly and Field Waders + Boots (\$103.49) Dick's Sporting Goods 12/06/12  
Lifeproof iPhone case (\$47.98) Amazon 12/10/12  
Lifeproof case return Shipping (\$5.62) 12/4/12  
4 pk Lithium AA's (\$21.98) Best Buy 12/23/12

(\$3,936.75)

**US Bank Loan Payment**

1/18/12 (\$350.00)  
2/21/12 (\$200.00)  
3/19/12 (\$350.00)  
4/18/12 (\$350.00)  
5/18/12 (\$350.00)  
6/18/12 (\$350.00)  
7/18/12 (\$350.00)  
9/10/12 (\$500.00)  
9/25/12 (\$2,038.21)

(\$4,838)

**GLAJ Monthly Payments**

GLAJ (\$350.00) January  
GLAJ (\$500.00) Feburary  
GLAJ (\$1,100.00) March 3/15/12  
GLAJ (\$591.24) April  
GLAJ (\$1,077.13) May  
GLAJ (\$699.16) June  
GLAJ (\$606.58) July  
GLAJ (\$707.00) August  
GLAJ (\$909.08) September  
GLAJ (\$1,013.23) October  
GLAJ (\$596.58)  
GLAJ (\$172.58) 12/13/12

2012 Gross Income (\$24,817.90)

Summary

2012 Gross Income (\$24,817.90)

2012 Expenses (\$11,971.50)

2012 Mileage (5,041 Miles)

Adjustments

2012 Adjusted Income (\$12,846.40)

Capatalized Investment (\$1,856.63) Part of Expenses Over \$150

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***Interest Charges***

1/12/12 (\$35.22)  
2/10/12 (\$31.85)  
3/14/12 (\$34.98)  
4/12/12 (\$28.06)  
5/11/12 (\$25.93)  
6/13/12 (\$26.83)  
7/13/12 (\$21.80)  
8/14/12 (\$20.57)  
9/13/12 (\$18.47)

(\$243.71)

***iPhone Bill***

Sep/Oct 2012 (\$94.17) check 1100 0459 - Mary Pyke 10/30/12  
November Bill (\$74.00) 12/4/12 Direct Payment to Verizon  
December Bill (\$76.00) 12/27/12 Direct Payment to Verizon

(\$194.17)

***Dropbox Upgrade Payment***

www.dropbox.com (\$9.99) 10/2/12  
www.dropbox.com (\$9.99) 11/2/12  
www.dropbox.com (\$9.99) 12/2/12

(\$28.97)

***Department of Education Loan Payments***

12/27/12 (\$150.00)

(\$150.00)

***2012 Expenses (\$11,906.95)***

***2012 Mileage (5,041 Miles)***

***Items Over \$150 to Capitalization***

WD 3tb My Book Studio Hard Drive (\$219.00) Amazon 3/2/12  
Tokina 11-16 mm lens (\$550.00) Craigslist 3/21/12  
WD 3TB Hard Drive B&H (\$198.00) 6/13/12  
WD 3TB Hard Drive B&H (\$199.00) 7/05/12  
SLR Flycam stabilizer camera rig (\$179.99) Amazon 6/23/12  
Camera Slider ePhoto Amazon (\$293.64) 11/1/12  
Flycam 5000 Camera Stabilizer (\$217.00) Amazon 11/7/12

Capitalized Investment (\$1,856.63)

## Other Expenses

Gas Realty Sisters Promo\_Hoodoo (61 Mil)  
Gas Tim Rose DVD return to Bend (39 mil)  
Russ Scot Pic CD sent via mail (\$3.20) 1/3/12  
Alvarez voice talent payment (\$60.00)  
Brian Davis LTD Commercial commision (\$60.00)  
Go Daddy Web Domain Registration (\$4.13)  
Episode postage 14-17 (\$6.36) 2/29/12 Downtown-Bend  
DVD Envelopes Pony EX (\$3.54) 2/28/12  
Episode Postage Sisters Post office (\$4.24) 3/1/12  
DVD 100 Pack at Staples (\$26.99) 3/2/12  
Sub-contractor Chris Sawiel for GLAJ Bug (\$100.00)  
Voice Talent Ron Alvarez ODFW Commercial (\$60.00)  
Episode Postage Downtown Bend (\$2.57) 3/5/12  
DVD Packages (\$1.77) Pony Express 3/30/12  
H&R Block tax consultation (\$382.00) 4/17/12 Bend  
May 1 Episode Postage Bend Post Office (\$13.24) 5/02/12  
Rice (Equipment water exposure repair (\$18.59) 5/31/12 Ray's  
Postage episode 25 (\$11.21) 6/1/12 Sisters  
Postage Last batch Episodes (\$10.16) Bend Post Office 7/05/12  
Postage Equipment Shipment (\$11.74) Sisters Post Office 7/9/12  
Postage Lst Batch Updated delivery (\$6.88) Sisters Post 7/11/12  
Postage GLAJ (\$3.89) 8/15/12 Sisters Post Office  
Postage (\$3.44) 8/28/12 Sisters Post Office  
Postage Anderson Wedding (\$4.12) Bend Post Office 10/1/12  
Postage Western Concepts Delivery to CA (\$5.50) Sisters Post Office 10/3/12  
Postage GLAJ Medford (\$3.44) 10/2/12  
Postage (Western Concepts) (\$3.44) 10/12/12  
Postage (Western Concepts) (\$8.01) 10/24/12 Sisters Post Office  
Senheuser Repair Postage (\$2.75) 10/31/12 Pony Express Sisters OR  
Postage Overnight to LA WC DVD FedEx (\$36.92) 11/7/12  
Postage Priority FCC Petition Sisters Post Office (\$18.95) 11/7/12  
Postage WC 4 DVD's Differnt Addresses Sisters Post Office (\$16.92) 11/7/12  
Postage WC Duplication/Printing Phoenix, AZ (\$3.89) 11/26/12 Sisters Post  
Postage Flycan body harness rig return (\$15.02) 11/30/12 Pony Express  
Postage Western Concepts (\$3.81) 12/3/12 Sister Post Office  
Postage ERI DVD (\$3.59) Pony Express 12/27/12

(\$916.57)

### *Itunes Production Music*

Royalty Free Tracks (\$64.55) Itunes

### *Shot Show*

Dinner Chinese Riviera (\$8.64)  
Expo Center Breakfast (\$6.25)  
Walgreens Lunch (\$5.48)  
Dinner Pizza Palms Casino (\$8.60)  
Walgreens Lunch Tape (\$9.87)  
Taxi Airport-Luxor (\$25.00)  
Taxi Riviera-Airport (\$7.00)

(\$70.84)

### *Patagonia 1/24/12-2/1/12*

Chilean reciprocity fee (\$140.00)  
Lodge service fees (\$80.00)  
Car Travel to P-town and back (355 Mil)

(\$224)

### *Running Y 2/24/12-2/26/12*

Great Harvest Weekend Food (\$5.25)  
Trader Joe's weekend food (\$6.22)  
Meltas Café weekend food (\$8.00)  
Commercial Lodge Props/Dinner (\$30.00)  
Car Travel from Sisters- K-Falls (374.4 Mil)

(\$49.47)

### *Freemonts Pheasants 3/17/12 Summer Lake area*

Car Travel (314 Mil)  
*Tokina Lens pickup in Corvallis*  
(314 mil) Pass closure - Extra mileage  
*Wild Meat Episode travel (Redmond) 3/24/12*  
(42 Mil) Redmond  
Days food (\$10.87) Rays 3/24/12

(\$10.87)

### *Spring Fling Episode*

Food/Supplies (\$44.04) 4/04-4/05/11

(\$44.04)

### *Busted episode Klamath Falls*

375 Mil

### *Metolius Epispe 6/10/12*

37 Mil

### *Western Concepts Travel*

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, 11, 13 (210 Mil)  
 June ---, 1-, 15, 19- Alfalfa (230 Mil)  
 June 22, 26, 29 (126 Mil)  
 July 12 (42 Mil) Sunrise Shooting  
 July 22 (42 Mil) Elk Chair  
 Aug 9 (42 Mil) Interviews  
 Aug 14 (42 Mil) Elk Chair Tieup  
 Aug 29 (42 Mil) Final pilot viewing  
 Aug 31 (42 Mil) Scabard  
 Oct 12 (42 Mil) Photo Album + Wallet + Intern  
 Nov 26 (42 Mil) Couch  
**902 Mil**

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**Range war Production**

Sheep Shears (\$15.95) Farmers Cp-op Redmond 6/29/12  
 Food for acotrs (\$52.00) 3 Creeks Brewery for rangeline shoot 6/30/12  
 Corn Syrup and food Coloring (\$4.39) Rays 7/8/12  
 2 collard Shirts (Props) (\$7.00) Sisters Habitat  
 .45 Cal Bullet Pack (Props) (\$17.97) BI-Mart 7/8/12  
 Travel (**140 Mil**) Travel/redemption Shoot 8/4/12

(\$97.31)

**Travel (Buisness)**

Sisters-Bend (57 Mil) Episode postage/delivery/equip pickup 7/05/12  
 Sisters-Bend (43 Mil) Hard Drive delivery to Media Geeks 10/10/12  
 Sisters-Bend GLAJ Meeting (53 Mil) 11/6/12  
 Sisters-Redmond Range war prop dropoff (42 Mil) 11/2/12  
 Sisters-Bend Payment Pickup and Hardware Pickup (47 Mil) 11/8/12  
 Sisters-Bend (58 Mil) GLAJ DVD Delivery 11/14/12  
 Sister/Redmond/Bend Meetings+Taxes (82 Mil) 11/19/12  
 Office-Sisters x 2 Meeting+equipemnt dropoff (28 Mil) 11/20/12  
 Office-Sisters-Bend GLAJ Christams Shoot/Postage (64 Mil) 11/26/12  
 Office-Sisters (14 Mil) 11/27/12  
 Office-Tumalo-Sisters Bales Video Meeting+Lav Mic dropoff (45 Mil) 11/29/12  
 Office-Redmond-office-bend WC Dropoff hard drive pickup (70 Mil) 12/4/12  
 Office-Sisters Postage (14 Mil) 12/3/12  
 Office-Bend Camera+NZ Footage Pickup (46 Mil) 12/7/12  
 Office-Bend Camera+NZ Footage Return (46 Mil) 12/10/12  
**709 Mil**

**GLAJ ERI Colorado 9/01/2012 - 9/05/2012**

Airline checked baggade fees (\$50.00) 9/1/12 9/5/12  
 Meals (Lunch x 2 Dinner (\$40.00) Snacks (\$10.00) 9/3/4/5/12  
 Milage to Redmond Airport and back (**42 Mil**)  
 Airport dinner (\$13.00) 9/5/12  
 8 pk Lithium AA's (\$19.99) Fred Meyer 8/31/12

(\$122.99)

**Western Concepts Gator Shoot**

Food & Supplies (\$56.95) 9/10/12-9/21/12

(\$56.95)

**Contract Work**

Raven Collective Media (\$325) Anderson wedding edit (Paid 10/3/12)  
 Reven Collective Media (\$500) GLAJ Big K (Paid 10/3/12)

(\$825)

**Cooper Shoots**

Serving Up Style Garden Show 10/4/12  
 Portland (**330 Mil**) 10/4/12  
 Food + Coffee (\$8.80) 10/4/12  
 Sisters-Bend (49 Mil) Well Traveled Fork  
 Well Traveled Fork Filler Shoot (Sisters-Bend (**41 Mil**)) 10/11/12

(\$8.80)

**420 Mil**

**GLAJ Heros Shoot**

Sisters-Redmond(**42 Mil**) 10/12/14/12

**GLAJ Blacktale 10/20-10/22/12**

Food/Supplies (\$56.94)  
 Sisters-Roseburg/around (**400 Mil**)

(\$56.94)

**GLAJ Wild Birds 10/27-30th**

Sisters-Bend (**48 Mil**) 10/27-10/30/12  
 Food/Supplies (\$40.37)

(\$40.37)

**GLAJ Running Y Quail 12/12-12/13/12**

Office-Klamath Falls (Running Y) (**355 Mil**)

**Zion Pictures (Bend Heating and Cooling Shoot 12/23/12**

Office-Sisters-Bend-Redmond (**72 Mil**)

## VITAC Order Acknowledgement

**VITAC®**Reason: **New Client**  
Date: **11/5/2012**Client PO: 

Received &amp; Inspected

**FEB 05 2013****FCC Mail Room**Client: **Hill Shadow Pictures**  
**Samuel Pyke**  
**17495 Ivy Ln**  
  
**Sisters, OR 97759**  
**United States**  
**(Uses Credit Card)**  
Phone: **541-678-2018**  
Email: **hillshadowpictures@gmail.com**Invoice #1: **Gary Lewis Adventure Journal**  
**Gary Lewis**  
  
  
**(Uses Credit Card)**  
Acct #1:  
Phone:  
Email:Program: **Gary Lewis Adventure Journal**  
Net Air: **\*Unknown\***

VITAC hereby agrees to caption the above project as described below:

Qty	Description	Run Time	Rate	Rate Units	Start Date	Required Delivery Date	Estimated Detail Invoice
26	Offline; Roll Caption; CAP	30	150	Episode			\$3900.00
Ship Via: Email:							
From Language: English - US				To Language: English - US			
Rush Rate Detail: No Rush Rates							
Funding Credit: *** None ***							
VITAC Credit: Yes				VITAC URL: Yes			
Content approved by client: No				Content changes permissible: No			

Qty	Description	Run Time	Rate	Rate Units	Start Date	Required Delivery Date	Estimated Detail Invoice
26	Encoding; Caption Encode (Closed); MOV; MOV	30	100	Episode			\$2600.00
Ship Via: (Unspecified)				No Shipping Charge	Account #:		\$0.00
Rush Rate Detail: No Rush Rates							
Detail Instruction: encode to Apple Prores 720p							

Qty	Description	Run Time	Rate	Rate Units	Start Date	Required Delivery Date	Estimated Detail Invoice
26	Encoding; Caption Encode (Closed); MPEG-2; Mpeg 2 (	30	100	Episode			\$2600.00
Ship Via: (Unspecified)				No Shipping Charge	Account #:		\$0.00
Rush Rate Detail: No Rush Rates							
Detail Instruction: encode to M2T 16:9							

Qty	Description	Run Time	Rate	Rate Units	Start Date	Required Delivery Date	Estimated Detail Invoice
26	Encoding; Caption Encode (Closed); MPEG-2; Mpeg 2 (	30	100	Episode			\$2600.00
Ship Via: (Unspecified)				25	Detail	Account #:	\$25.00
Rush Rate Detail: No Rush Rates							
Detail Instruction: encode to mpeg 4:3							

Estimated Total:							\$11725.00
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Signature

Date

**Other Instruction:** This is a 26 episode series arriving on hard drive starting week of November 5, 2012.

VITAC will create closed captions and encode captions to one HD and SD file per episode.

***TERMS & CONDITIONS FOR PROVISION OF CAPTIONING SERVICES***

The Captioning Services to be provided by VITAC described above are subject without limitation to the following terms and conditions, which are hereby incorporated by reference and made an integral part of the proposal. Any changes your company requests in the Captioning Services listed above are subject to additional charges. Payment Net 30. **Late Charge:** 1.5% monthly on unpaid balance.

***STANDARD OF CARE***

In performing the Captioning Services described above, VITAC will use the same degree of care and skill ordinarily exercised under similar conditions by competent professionals in the same industry. No other warranty or guarantee is expressed or implied.

***LIMITATION OF LIABILITY***

VITAC's liability for any loss, damage, or injury on account of any breach of this captioning services agreement, or error, omission, or other professional negligence shall in no event exceed the actual fee paid VITAC for the captioning services provided. VITAC shall not be liable in contract, tort, or otherwise for any incidental, special, or consequential damages whatsoever.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**If any of the above information is incorrect, please contact:**

Debbie Hammond, Director of Client Sales & Services, 101 Hillpointe Drive Canonsburg, PA 15317, 724-514-4048, [clientservices@vitac.com](mailto:clientservices@vitac.com)



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**aAffiliate Responses to Funding For Closed Captioning**

Hi Sam,

Greg Fair forwarded your request for a letter from us regarding closed captioning support for KBNZ.

As per FCC Closed Captioning exemptions found in CFR Title 47, vol 4., 79.1, KBNZ is not required to provide closed captioning.

Please let me know if you need anything else from me.

Have a great weekend.

-Dave

Dave Jones

Director of Creative Services

[cid:image003.png@01CB2E48.3354A760]

Representing BendBroadband, Crestview Cable, KBNZ-CBS & COTV11

63090 Sherman Rd., Bend, OR 97701

F: 541.385.3271 P: 541.312.6453

W: [www.zolomedia.com](http://www.zolomedia.com)<<http://www.zolomedia.com/>>

Hi Sam. Financial assistance from KOB/KOTI for your closed captioning is not available. As you are aware, we already insert your commercials into the show, which airs at 1:30am Sunday night/Monday morning. That barter time is our payment to you for providing the program to us. It would not be a sound business decision to contribute financially as well.

Please keep us in the loop as your petition for closed captioning exemption moves forward.

Best regards,

Donna Rodriguez

Programming & Traffic Mgr.

KOB/KOTI-TV

541-779-5555

Direct Dial: 541-282-1208

Dear Program Provider,

After careful research, we have discovered a temporary solution to the closed captioning dilemma ... keep in mind that this information below will not work when you decide to be on our other station, KLSR-TV/Fox ... it will only suffice on KEVU-TV.

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The "self-implementing Exemption" that we are using states: *"No video programming provider shall be required to expend any money to caption any channel of video programming producing annual gross revenues of less than \$3,000,000 during the previous calendar year other than the obligation to pass through video programming already captioned when received."*

Sam

I think you have it right they fail to understand barter that aside...since no monies is exchanged between your production company and our stations we would not and will not compensate the production company for such closed captioning. Since our faculties annual income is well below the threshold to require captioning ourselves it is not a requirement as we understand it. If a production company does supply closed captioning we can and do pass it through the facility however.

\*\*\*\*\*

Ken Lewetag - General Manager/co-owner  
Northwest Television, LLC

**"From Longview to Eugene and everywhere in between"**

A part of Northwest Television, LLC  
17980 Brown Rd, Dallas, Oregon 97338  
503-930-7228 [ken@kwvtsalem.com](mailto:ken@kwvtsalem.com)

GENERAL AFFIDAVIT

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STATE OF Oregon

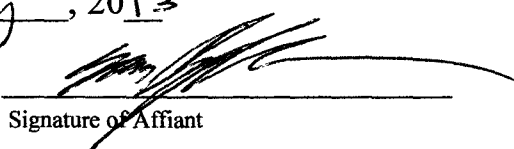
COUNTY OF Deschutes

PERSONALLY came and appeared before me, the undersigned Notary, the within named Samual Pyke, who is a resident of Deschutes County, State of Oregon, and makes this his/her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his/her knowledge:

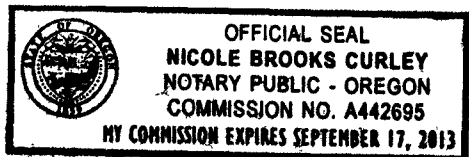
(Insert Statement)

Hill Shadow Pictures income for the 2012 season of "Gary Lewis Adventure Journal" was \$8,322.50. As a whole after expenses Hill Shadow Pictures brought in a total of near \$10,326 for 2012. Closed captioning for one season of episodes costs \$5,862. It would cost Hill Shadow Pictures more than half of its earnings for 2012 to caption one season, let alone 3 seasons. This is not enough to pay for closed captioning not to mention the production costs of shooting, editing, producing, and distributing episodes to our ~~now~~ affiliates.

DATED this the 29 day of January, 2013

  
Signature of Affiant

SWORN to subscribed before me, this 29 day January, 2013



  
NOTARY PUBLIC

My Commission Expires:

09/17/13